Secrt. II-37—100,000—31-5-39.

E & P.H (1949) Department.

SERIES.

G.O. No. 2166 P.H

Dated 15th June 1949

[Despatch Abstract.]

Plague - Regulations - Outside the City of Madras - Re-issued for one year from the 15th July 1949.

GOVERNMENT OF MADRAS

Education and Public Health Department
(Public Health)

G.O.Ms.No. 2166, 15th June 1949.

Plague - Regulations - Outside the City of Madras - Re-issued for one year from the 15th July 1948.

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READ the following paper:-

From the Director of Public Health,
dated 26th May 1949, R.No.39611-1-Epi/49.

ORDER--No. 2166, P.H., dated 15th July 1949.

The regulations for the prevention of the outbreak or the spread of plague outside the City of Madras published with the Public Health Department Notification No. 472 on pages 269-270 of Part I-A of the Fort St. George Gazette, dated 3rd August 1948, are re-issued for a further period of one year with effect from the 15th July 1949.

2. The appended notification will be published in the Fort St. George Gazette in English, Tamil, Telugu, Malayalam and Kannada and in all the district gazettes in the languages of the district.

3. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translation of the notification at an very early date.

(By Order of His Excellency the Governor)

T. Govinda Menon,
Deputy Secretary to Government.

To
The Director of Public Health.
The Surgeon General.
All Collectors.
All Special Officers of District Board,
All Executive Authorities of Munipipalities
The Mayor, Corporation of Madras.
The Examiner of Local Fund Accounts.
The Senior Translator to Government.
The Inspector of Muncipal Councils and Local Boards.
The Public Health Commissioner with the Government of India,
The South Indian Railway and Madras Southern Mahratta Railway Administrations.
The General Officer Commanding Advance Headquarters, c/o 11, A.D. B.P.O., India.
the Honible the Resident at Mysore.
The Honible the Resident at Hyderabad.
The Legal, Public Works, Revenue, Development, Finance, Home(Police) and Public Departments.
The Librarian, Madras Legislature.
The Superintendent, Government Press for publication in the Fort St. George Gazette.

APPENDIX....

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APPENDIX.

NOTIFICATION.

PLAGUE REGULATIONS IN FORCE OUTSIDE THE CITY OF MADRAS.

Whereas the ordinary provisions of the law for the time being in force in the Province of Madras are insufficient to prevent the outbreak of plague or the spread thereof;

Now, therefore, in exercise of the powers conferred by section 2 of the Epidemic Diseases Act, 1897, (Central Act III of 1897), and in supersession of all regulations previously issued on the subject, His Excellency the Governor of Madras hereby prescribes the following temporary regulations to be observed throughout the said Province except in the City of Madras for a further period of one year from the 15th day of July 1949.

In these regulations--

(1) 'Collector' means the Collector of the district;

(2) 'Government' means the Government of Madras;

(3) 'Infected area' means any place or area which is notified to be infected with plague under these regulations by the Government or, subject to their control, by the Collector;

(4) 'local authority' means--

(i) in the case of municipal areas--

(a) the municipal Health Officer; where no such officer has been appointed or in his absence, the local Medical Officer appointed by the Government; where neither of such officers has been appointed or in the absence of both or in the absence of the local Medical Officer, as the case may be, the Municipal Medical Officer; and

(b) the executive authority of the municipal council;

(ii) in the case of non-municipal areas--

(a) the local Medical Officer appointed by the Government; where no such officer has been appointed or in his absence, the local Medical Officer appointed by the local board; and

(b) the village headman;

and includes in both cases, any other person appointed as local authority by the Collector; and

(5) 'plague officer' means the District Health Officer, the Municipal Health Officer and the Revenue Divisional Officer, within their respective jurisdictions and includes in respect of any area any other person who may be appointed by the Government or by the Collector as Plague Officer for such area.

2. The Government may, by notification in the Fort St. George Gazette, declare any place or area in which one or more indigenous cases of plague have occurred or in which the existence of plague among rats or other susceptible animals has been proved to be infested with plague. In similar circumstances, the Collector may notify by tom-tome and by publication the District Gazette and that any place or area in his district is infested with plague and shall inform the Government forthwith of such notification and the Government may cancel or modify such notification.

3. The Collector may

(i) close any existing market, or order the suspension or postponement of any other large congregation of ~~pap~~ people--

(a) in any infested area; or

(b) in any area in his district adjoining an infected area, whether such infested area be in that district, or in a neighbouring district; or

(c) in any area in his district adjoining a place outside the Province when such place is, in the opinion of the Collector, infected with plague; and

(ii) appoint special places where markets may be held and prescribe limits beyond which it shall not be lawful for persons bringing articles for sale from or into an infected area to pass.

4. In any infected area the Collector, or a Plague Officer with the previous sanction of the~~m~~ Collector, may order the evacuation of infected premises and of premises in the neighbourhood of such premises, or generally, of the infected area or any part thereof:

Provided that, before issuing or sanctioning an order of compulsory evacuation, the Collector shall

(a) satisfy himself that ~~SUCH~~ evacuation is necessary to prevent or check the ~~further~~ further spread of the disease or is in the interests of the affected population, having regard to climatic conditions;

(b) either provide within reasonable distance adequate and suitable shelter and the necessary water-supply for the persons evicted or satisfy himself that such shelter and water-supply will be provided by private agency; and

(c) make necessary arrangments for watch and ward.

The Collector may require all persons who evacuate their premises voluntarily, or against whom an order of compulsory evacuation is passed under this regulation, to reside in such place and for such period as he may appoint.

5. In any infected area, the Collector may enter upon, occupy and use, or may depute any person to enter upon, occupy and use, without having recourse to the provisions of the Land Acquisition Act, 1894, any building or place which is required for, and, is, in the opinion of the Municipal Health Officer in the case of municipalities where there is a Health Officer, and in all ~~other~~ other cases,

of the District Health Officer, or if there is no District Health Officer, of the District Medical Officer, suitable for any purposes connected with plague measures provided that, if the building or place is occupied by any person, notice in writing shall be given to such person or be conspicuously affixed on such building or place not less than 24 hours before it is entered upon, occupied or used under this regulation. The owner or lessee of such building or place shall be entitled to a reasonable rent to be fixed by the Collector, for the period during which the building or place is occupied or used and the Collector shall, when any building ceases to be so occupied or used, cause it to be thoroughly ~~x~~ cleansed and disinfected and, if the owner or lessee so desires, whitewashed inside and outside.

6. If the Collector or a Plague Officer is of opinion that the destruction of any hut or shed is necessary to prevent the spread of plague, he may take summary measures for the destruction of such hut or shed and of the materials of which it is constructed.

7. The Plague Officer or any person authorized by him in this behalf may direct that any building or place shall be inspected and that all rats and other susceptible animals found therein shall be destroyed; and to facilitate such destruction, he may order the temporary removal of any article from such building or place.

8. The Collector may direct that at any place in his district any consignment of grain or other produce or merchandise or personal effects being conveyed by rail, road or otherwise, shall be examined, and shall if necessary, be unloaded and fumigated or exposed to the sun in such manner and for such period as he may fix.

9. Every owner or occupier of any building and every medical practitioner shall at once report to the nearest local authority any case of plague or any case of fever with glandular swellings or any unusual mortality among rats or squirrels, which may come to his notice.

10. (1) The executive authority of the municipal council in the case of a municipal area, the executive authority of the panchayat in the case of a panchayat area, the headman of the village in other cases and in all cases the Plague Officer or any person authorized by the Collector in this behalf may prevent any articles suspected of coming from an infected area from being brough or taken into the local area concerned until such articles have been exposed to the direct rays of the sun for not less than three hours or have been disinfected to his satisfaction. Similar powers may be exercised by such Plague Officer, executive authority, headman or authorized person regarding the exposure to the sun or the disinfection of any article taken out of any infected area within ~~x~~ their respective jurisdictions.

(2) No person shall taken out from a plague-infected area any commodity which is likely to carry plague infection unless it has been disinfected by the Plague Officer or by a person authorized in that behalf by the Collector.

11. (1)....

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11. (1) Any local authority or a Plague Officer or any officer of the Public Health Department not below the rank of a Health Inspector or a Sanitary Inspector may, at any time by day or by night, after giving such notice as may appear to him reasonable, inspect any premises in which plague is reported or suspected to exist.

(2) If such authority or officer is of opinion that the cleansing or disinfecting of any premises or part thereof or of any article therein, which is likely to retain infection, will tend to prevent or check the spread of such infection, he may cleanse or disinfect such premises or part of article and may by notice require the occupier of such premises or part to vacate the same for such time as may be specified in such notice.

(3) The cost of cleansing or disinfecting any premises or part thereof or any article therein under clause (2) shall be met entirely by the Government.

(4) Such authority or officer may direct the destruction of bedding, clothing or other articles likely to retain infection.

12. (1) In the absence of a written contract to the contrary, every Inspector, maistri, peon, watchman, labourer, scavenger, or other menial servant employed to do duty in connexion with plague shall be entitled to one month's notice before discharge, or to one month's wages in lieu thereof unless he is discharged for misconduct or was engaged for a specified term and is discharged at the end of such term.

(2) No such Inspector, maistri, peon, watchman, labourer, scavenger, or menial servant shall, in the absence of a written contract authorizing him to do so or without reasonable cause, resign his employment or absent himself from his duties or neglect or refuse to perform any of his duties without giving a month's notice.

(3) The Collector may from time to time appoint persons as suppliers of labourers or other menial servants subject to such conditions as he deems fit and every such supplier shall be bound faithfully to carry out the duties assigned to him by the Collector and to observe the conditions under which he was appointed.

13. When in consequence of the exercise of the powers conferred by or under these regulations any property is damaged or destroyed, the Collector shall pay to the owner by way of compensation such sum, as he may consider sufficient to cover the cost of repairing the damage or replacing the property destroyed. The Collector's decision fixing the amount of compensation to be paid shall be final. No compensation shall however be payable to cover the cost of replacing the articles destroyed under clause (4) of regulation 11.

NOTE.--(1) The Plague Regulations being orders formally made and issued Government under the Epidemic Diseases Act, no sanction is required as a condition precedent to prosecution

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for disobeying them (Judgment of the High Court in Criminal Appeal No. 561 of 1889).

(2) By Command Order No. 687, dated 18th November 1898, all ranks on the Madras Command have been directed to obey the Plague Regulations and any infringement of them is punishable as a military offence. Military pensioners have been warned (Superintendent's Circular No. II, dated 14th December 1898), that any disobedience or wilful neglect of the regulations or obstruction offered to any official on plague duty will be treated as a breach of the good conduct required by Government as a condition of the continuation of their pensions and that any pensioner being guilty thereof will be liable to have his pension stopped forthwith and the same reduced or permanently withdrawn.

/True copy/

Office Assistant,
Madras Record Office.

PSR: